



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,019	10/23/2003	Brijesh Krishnaswami	MS306622.1	2371
27195 7590 10/10/2007 AMIN. TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			EXAMINER WANG, RONGFA PHILIP	
			ART UNIT 2191	PAPER NUMBER
			NOTIFICATION DATE 10/10/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket1@thepatentattorneys.com
hholmes@thepatentattorneys.com
osteuball@thepatentattorneys.com

mn

Office Action Summary	Application No. 10/693,019	Applicant(s) KRISHNASWAMI ET AL.	
	Examiner Philip Wang	Art Unit 2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-18, 23-25, 27-34, 38 and 39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-18, 23-25, 27-34, 38 and 39 is/are rejected.
- 7) ☒ Claim(s) 30, 34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to amendment filed on 7/5/2007.
2. The objection to the claim 24 is withdrawn in view of the Applicant's amendment to the claims.
3. The 35 USC §112 second paragraph rejections of claims 7, 24, 25, and 38 have been withdrawn in view of the Applicant's amendment to the claims.
4. Per Applicant's request, claims 1, 8, 15, 24, 25, 27, 28, 31, 38, and 39 have been amended. Claims 9, 19-22 and 35-37 have been canceled.
5. Claims 1-8, 10-18, 23-25, 27-34, and 38-39 remain pending.

Claim Objections

1. Claims 30 and 34 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claims 30 and 34 recite the limitation of a computer readable medium. A computer readable medium can be infringed without infringing the associated method claim(s), therefore fails the infringement test. One can make copies of a computer readable medium, or sell computer readable medium without actually executing the code stored on the medium.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 10-18, 23-25, and 27-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keller et al. (US PGPub. No. 2004/0049509) in view of Eager et al. (US Patent. No. 5,960,200).

As per claim 1,

Keller et al. discloses

A configuration management system comprising:

- a configuration store that stores persisted information associated with an application, the persisted information comprising of configuration information and dependency information (Fig. 2A, [0097], [0098])

where discloses a system that containing configuration store 225 comprising dependency information. [0117], where a configuration files of a managed resource is disclose (last line in this paragraph), [0118], where an example Window Registry is disclose as a location of configuration files.); and,

- a configuration service component that manages access to the configuration store, (Fig. 2A, Repository Agent 230, [0098], "The resource dependency repository 225 can be queries, updated and modified through a repository agent 230.).

Keller et al. do not specifically disclose

- the configuration service component employing security at per-setting granularity.

However, Eager et al disclose

- the configuration service component employing security at per-setting granularity (col. 21, line 38, "...ACL...").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Eager et al. into the teachings of Keller et al. to include the above limitation. The modification would be obvious to one of ordinary skill in the art to want to controlling access to application resources of Windows

Art Unit: 2191

applications as suggested by Eager et al. ([0089], "...in the case of Windows...").

As per claim 2,

the rejection of claim 1 is incorporated;

Keller et al. discloses

- the configuration service component receives a manifest associated with the application, the manifest comprising at least one of configuration and dependency information associated with the application, and the configuration service component stores at least some of the manifest information in the configuration store (Fig. 2B, shows an Administrator GUI 285 containing memory which is cache stores requests sent to the system; see FIG. 2A).

As per claim 3,

the rejection of claim 2 is incorporated;

Keller et al. discloses

- the manifest is based, at least in part, upon a schema ([0153], "...XML Schema...").

As per claim 4,

the rejection of claim 3 is incorporated;

Keller et al. discloses

- the schema is XML-based ([0153], "...XML Schema...").

As per claim 5,

the rejection of claim 2 is incorporated;

Keller et al. discloses

- the manifest employing at least one of strong typing, validation, and assertions ([0153], "...XML Schema...").

As per claim 6,

the rejection of claim 2 is incorporated;

Keller et al. discloses

- the configuration service component compiles at least one of manifest information into a namespace, the configuration service component providing access to the namespace(FIG. 2A).

As per claim 7,

the rejection of claim 1 is incorporated;

Keller et al. discloses

Art Unit: 2191

- a configuration management engine that facilitates management of at least some of the configuration information(FIG. 2A).

As per claim 8,

the rejection of claim 1 is incorporated;

Keller et al. disclose

- the configuration service component facilitating access to a legacy store, the legacy store comprising a registry ([0118], "...the Microsoft Windows Registry...").

As per claim 10,

the rejection of claim 1 is incorporated;

Keller et al. discloses

- the configuration service component facilitating at least one management service(FIG. 2A).

As per claim 11,

the rejection of claim 10 is incorporated;

Keller et al. discloses

Art Unit: 2191

- the management service comprising at least one of a group policy component and a roaming component(FIG 2A, 250 Policy).

As per claim 12,

the rejection of claim 10 is incorporated;

Keller et al. discloses

- the management service facilitating at least one of install, usage, servicing, uninstall, roaming, migration, setup, provisioning, policy, backup and/or restore ([0009], "...installation...").

As per claim 13,

the rejection of claim 1 is incorporated;

Keller et al. discloses

- an assertion engine that facilitates administration of a validation rule by the configuration service component(Fig. 2A, 245 Dependency Service,).

As per claim 14,

the rejection of claim 1 is incorporated;

Keller et al. discloses

- a notification handler that provides information associated with a configuration change of the application to at least one of the application

Art Unit: 2191

and another application ([0082], "... provides a publish/subscribe interface for notifying for changes...").

As per claim 15,

the rejection of claim 1 is incorporated;

Keller et al. disclose

- a legacy handler facilitating synchronization of the system with a legacy store, the legacy store comprising a registry ([0118], "...maintain references...the Microsoft Windows Registry...").

As per claim 16,

the rejection of claim 1 is incorporated;

Keller et al. discloses

- the configuration service component facilitates transacted commits for saving related changes together in the configuration store (Fig. 2A, Repository Agent 230, [0098], "The resource dependency repository 225 can be queries, updated and modified through a repository agent 230.).

As per claim 17,

the rejection of claim 1 is incorporated;

Art Unit: 2191

- the configuration service component employs at least one of ACL-based security and role-based security are provided at per-setting granularity.

Keller et al. do not disclose

- the configuration service component employs at least one of ACL-based security and role-based security are provided at per-setting granularity.

However, Eager et al. disclose

- the configuration service component employs at least one of ACL-based security and role-based security are provided at per-setting granularity(col. 21, line 38, "...ACL...").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Eager et al. into the teachings of Keller et al. to include the above limitation. The modification would be obvious to one of ordinary skill in the art to want to controlling access to application resources of Windows applications as suggested by Eager et al. ([0089],

As per claim 18,

the rejection of claim 1 is incorporated;

Keller et al. discloses

- the configuration service component facilitates change logs and history([0082], "...a notion of history in order to detect and determine changes...").

As per claim 23,

the rejection of claim 1 is incorporated;

Keller et al. disclose

- the configuration store comprises a joint engine technology database that stores a settings namespace (FIG 2A for database).

As per claim 24,

the rejection of claim 23 is incorporated;

Keller et al. disclose

- a namespace comprises metadata on the settings comprising types, attributes, and user context, the namespace further comprising an instance values of the settings ([0153], "...XML Schema...").

As per claim 25,

the rejection of claim 24 is incorporated;

Keller et al. disclose

- at least one of the metadata on the setting and instance values of the settings is stored for each user context ([0153], "...XML Schema...").

As per claim 27,

Art Unit: 2191

Keller et al. discloses

A configuration management system comprising:

- a local cache that at least temporarily stores changes to configuration information associated with an application, the configuration information comprising information other than dependency information (Fig. 2B, shows an Administrator GUI 285 containing memory which is cache stores requests sent to the system; [0117], where a configuration files of a managed resource is disclose (last line in this paragraph), [0118], where an example Window Registry is disclose as a location of configuration files.); and,
- a configuration engine that facilitates communication of the changed configuration information stored in the local cache to a configuration service component ([0096], "...an administrator graphical user interface 285 by which an administer interacts with the system."; Fig. 2A, Repository Agent 230, [0098], "The resource dependency repository 225 can be queries, updated and modified through a repository agent 230.).

As per claim 28,

Art Unit: 2191

Keller et al. discloses

A method for facilitating configuration management comprising:

- receiving a manifest associated with an application, the manifest comprising configuration information and dependency information (Fig. 2A, Repository Agent 230, [0098], "The resource dependency repository 225 can be queries, updated and modified through a repository agent 230."; [0117], where a configuration files of a managed resource is disclose (last line in this paragraph), [0118], where an example Window Registry is disclose as a location of configuration files);
- registering the manifest; and, storing at least some of the manifest configuration information in a configuration store ([0082], "...registered for changes within the dependency model...").

As per claim 29,

The rejection of claim 28 is incorporated,

Keller et al. discloses

- further comprising compiling a configuration section of the manifest into a namespace ([0152] for URI).

As per claim 30,

- see rejection of claim 28.

As per claim 31,

Keller et al. disclose

A method of facilitating configuration management comprising:

- providing a manifest, the manifest associated with configuration information and dependency information of a first application; and,
- accessing a configuration setting of an application via a configuration service component (Fig. 2A, Repository Agent 230, [0098], "The resource dependency repository 225 can be queries, updated and modified through a repository agent 230."; [0117], where a configuration files of a managed resource is disclose (last line in this paragraph), [0118], where an example Window Registry is disclose as a location of configuration files);

As per claim 32,

the rejection of claim 31 is incorporated;

Keller et al. disclose

- identifying settings in a namespace associated with the first application;

Art Unit: 2191

- defining a name, a type, a description and default value for a setting;
- defining other metadata for the setting;
- providing a validation rule for the setting; indicating service applicability for the setting; and, identifying a dependency using an assertion expression(See Fig. 2A).

As per claim 33,

the rejection of claim 32 is incorporated;

Keller et al. disclose

accessing a setting associated with the first application; and,

- accessing a setting associated with a second application(See Fig. 2A).

As per claim 34,

see rejection of claim 32.

3. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Keller et al. (US PGPub. No. 2004/0049509) in view of Eager et al. (US Patent. No. 5,960,200) and further in view of Bondarenko et al. (US PGPub. No. 2004/0083479).

4. As per claim 26,

the rejection of claim 1 is incorporated;

Keller et al./Eager et al. do not disclose

Art Unit: 2191

- at least one of URI and Xpath can access a setting within a namespace as well as in between namespaces.

However, Bondarenko et al. disclose

- at least one of URI and Xpath can access a setting within a namespace as well as in between namespaces[0069], for Xpath; and [0101], for URI).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Bondarenko et al. into the teachings of Keller et al./Eager et al. to include the above limitation. The modification would be obvious to one of ordinary skill in the art to want to enable third party integration of the application as suggested by Bondarenko et al. ([0007], "...third-party integration...").

5. Claims 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable by Hellerstein et al. (US PGpub. No. 2002/0129356) in view of Keller et al. (US PGPub. No. 2004/0049509).

As per claim 38,

Keller et al. disclose

- a configuration service component that manages access to a configuration store, the configuration service component comprising an assertion engine component, wherein the configuration store stores persisted configuration information associated with an application (Fig. 1, [0005], "In

step 2, a configuration file or database... This configuration file is typically updated...").

- , the assertion engine component facilitates administration of a validation rule by the configuration service component([0048], "...A policy repository...entered periodically by the...administrator..." where policies are considered validation rules);
- , and the legacy handler component facilitates synchronization with a legacy store including a registry..

Hellertein et al. do not specifically disclose

- and the legacy handler component facilitates synchronization with a legacy store including a registry..

However Keller et al. disclose

and the legacy handler component facilitates synchronization with a legacy store including a registry.. ([0118], "...maintain references...the configuration files located...may contain this information. Examples...include...Microsoft Windows Registry...").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Keller et al. into the teachings of Hellertein et al. to include with a legacy store including a registry.. The modification would be obvious to one of ordinary skill in the art to want to share information among various heterogeneous systems as suggested by Keller et al. ([0018]).

As per claim 39,

Hellertein et al. disclose

A configuration management system comprising:

- means for storing configuration information associated with an application ; and means for managing access to the means for storing configuration information (Fig. 1, [0005], "In step 2, a configuration file or database... This configuration file is typically updated...").
- Means for facilitating administration of a validation rule ([0048], "...A policy repository...entered periodically by the...administrator..." where policies are considered validation rules);

Hellertein et al. do not specifically disclose

- means for synchronizing the means for storing configuration information with a legacy store including a registry.

However Keller et al. disclose

means for synchronizing the means for storing configuration information with a legacy store including a registry ([0118], "...maintain references...the configuration files located...may contain this information. Examples...include...Microsoft Windows Registry...").

Art Unit: 2191

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Keller et al. into the teachings of Hellertein et al. to include with a legacy store including a registry. The modification would be obvious to one of ordinary skill in the art to want to share information among various heterogeneous systems as suggested by Keller et al. ([0018]).

Response to Arguments

In the remark,

Applicant argues:

1) Objections to claims 30 and 34 should be withdrawn.

Examiner's response:

1) The examiner has clearly provided reasons for the objections. The Applicant's argument has been considered but, not convincing. The portion of MPEP referenced by the Applicant related to infringement test is related to a method of making a specific product and the product make by the method. It does appear it is the case here.

Please refer to the first paragraph under "infringement test" of MPEP.

Applicant argues:

2) Keller does not teach configuration information and dependency information.

Examiner's response:

Art Unit: 2191

2) Per Keller, Fig. 2A, [0097], [0098] where discloses a system that containing configuration store 225 comprising dependency information. [0117], where a configuration files of a managed resource is disclose (last line in this paragraph), [0118], where an example Window Registry is disclose as a location of configuration files. Therefore, Keller discloses a system that manages information associated with applications/systems containing both configuration and dependency information.

Applicant argues:

3) Per claims 8,15 and 38, the Applicant argues neither Keller nor Olmeda disclose "the legacy store comprising a registry"

Examiner's response:

3) Per Applicant's Specification, page 9, line 17, "...legacy stores like Registry or INI configuration files..." The examiner reads Registry or INI configuration files are examples of legacy stores. And both of the above examples are registries be themselves. Therefore Keller disclose Windows Registry (and Olmeda discloses INI files) should satisfy the claim language as argued by the Applicant.

Applicant argues:

Art Unit: 2191

4) The Applicant argues Keller nor Eager does not disclose "the configuration service component employs at least one of ACL-based security and role-based security" (for example claim 17)

Examiner's response:

4) The Applicant emphasizes the "...are provided as..." to enforce the requirement of disclosing both ACL-based security and role-base security. However, the claim language clearly states "at least one of ACL-based security and role-base security" At least one includes only one. A disclosure of ACL-based security satisfies the requirement of "at least one of ACL-based security and role-based security".

Applicant argues:

5) The Applicant argues that Keller, Eager and Bodarenko do not disclose employing security on a per-setting granularity.

Examiner's response:

5) Eager shows an ACL- based security method. Access Control List by itself is a security model associated with an object under control. Therefore, providing ACL is providing security based on per object granularity. Therefore, the granularity is the object under control. Referring Applicant's specification, page 49, line 12, "Access Control List...can be applied to individual setting items." Therefore, the examiner reads per-setting as the ACL-based security can be applied to setting items individually. Each setting is considered as an object that ACL-based security applies to.

Conclusion

THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

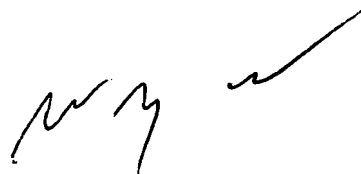
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Wang whose telephone number is 571-272-5934. The examiner can normally be reached on Mon - Fri 8:00 - 4:00PM. Any inquiry of general nature or relating to the status of this application should be directed to the TC2100 Group receptionist: 571-272-2100.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2191

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, consisting of stylized, cursive letters, likely representing the name 'Wei Zhen'.

WEI ZHEN
SUPERVISORY PATENT EXAMINER